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**Request
for
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/814,504
Filing Date	03/31/2004
First Named Inventor	Tracy, Jewel
Art Unit	3724
Examiner Name	Landrum, Edward F
Attorney Docket Number	20031124-001

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

- b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. _____

i. ☐ RCE fee required under 37 CFR 1.17(e) 10/16/2008 SSANDARA 00000008 10814504

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 405.00 DP

iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	<i>Roger L. Belfay</i>	Date	October 13, 2008
Name (Print/Type)	Roger L. Belfay	Registration No.	51449

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	_____	Date	_____
Name (Print/Type)	_____	Date	_____

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Roger L Belfay
Attorney at Law
Confidential Information

Monday, October 13, 2008

Attn: Edward F. Landrum, Patent Examiner Art Unit 3724

Commissioner for Patents
Mail Stop: Amendment
P.O. Box 1450
Alexandria, VA 22313 1450

Re: Office action of January 26, 2007 concerning:

- US Utility Patent application 10/814,504
- by Tracy
- filed on March 31, 2004
- for the "Foot Frame"
- confirmation #6464.

Edward F. Landrum:

I enclose:

- 1) an amended claim section with marked up changes,

Please enter the above amendments to the subject application.

The Rejection of Claims 1-10"under 35 USC § 103(a) as being unpatentable over Oats '513 (U.S. Patent No. 4,926,513) in view of Heppner (U.S. 4,212,217) in further view of Van Wagner (U.S. Patent No. 1,891,629) ..." is obviated by entry of the enclosed amended claim section. The amendments add the limitation that the sanitary material be placed in "at least partial contact with the floor". This limitation is not disclosed by any of the art currently of record in this case. Further this feature gives the "foot frame" the advantage of being usable in circumstances where the art of record could not be used: Namely in an application where users are required to walk onto and off of the "foot frame".

Sincerely,

Roger L. Belfay, Esq.
Roger L. Belfay

Registered Patent Attorney

Registration No. 51449

Enclosures:

1. Mark up of amended claim set